

SENATE BILL 3315

By Burks

AN ACT to amend Tennessee Code Annotated, Title 55
and Title 68, Chapter 126, relative to
prefabricated, modular and manufactured housing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-126-406,

is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-126-406.

(a) All manufactured homes required to be installed pursuant to § 68-126-403 may be inspected for compliance with applicable standards by qualified manufactured housing inspectors provided by the commissioner. Such inspectors shall have specialized training in manufactured housing installation inspection. The form and manner of training shall be determined by the commissioner.

(b) The installer shall apply for an installation permit prior to installing a manufactured home and shall pay an inspection fee of forty-five dollars (\$45.00). The permit may be purchased and the fee shall be paid to the county clerk in any county of this state. The county clerk shall retain eight dollars (\$8.00) of each permit fee and remit thirty-seven dollars (\$37.00) to the commissioner. The fees shall be remitted to the commissioner on a monthly basis, not later than the twentieth day of the month following the month in which the fee is paid, and such remittance shall include a report of the license numbers of the installers and retailers who purchase permits and the corresponding permit numbers sold.

(c) All fees remitted to the commissioner, plus any funds received by the state from the federal department of housing and urban development for manufactured housing, shall be allocated to a fund within the general fund called

the manufactured housing fund and shall, subject to appropriation, be utilized exclusively to fund the commissioner's regulatory activities pertaining to manufactured homes. Funds deposited in the manufactured housing fund shall not revert to the general fund at the end of the fiscal year but shall remain available for appropriation for the purposes provided in this subsection (c).

(d) In case of rejection of any part of the home installation, a separate forty-five dollar (\$45.00) fee shall be charged to the installer.

(e) The commissioner shall ensure that at least ten percent (10%) of manufactured homes installed in the state of Tennessee each year are inspected; provided, however, that there shall be at least one (1) inspection of a home installed by each installer each year. Inspection shall occur within twenty (20) business days after the commissioner's receipt of the installer's report. Each installer shall submit a report to the commissioner on at least a weekly basis describing the homes installed by the installer that week. Such report shall include, at a minimum, the name and address of the retailer and the location of each home installed.

(f) Upon payment of the inspection fee, the county clerk shall provide the purchaser a permit decal. The commissioner shall provide the permit decals to the county clerk. Installers and retailers may purchase decals from the county clerk; provided, however, that the commissioner shall account for all permits.

(g) A permit decal shall be placed on each new and used home that is installed after January 1, 2004. The decal shall be affixed inside the electrical panel box cover. The installer shall write the address where the home is located on the permit. The state or local electrical inspector shall not authorize electricity

to be turned on at the home if no installation decal is on the home when the electrical installation is done.

(h) If a permit decal is lost or destroyed, the applicant for a replacement decal shall pay to the county clerk a fee of forty-five dollars (\$45.00), from which the county clerk shall retain eight dollars (\$8.00) and remit thirty-seven dollars (\$37.00) to the commissioner. The applicant for the replacement permit decal shall provide to the county clerk an affidavit stating that the decal was lost or destroyed. The county clerk shall submit a copy of the affidavit for any replacement permit decal issued with the monthly report to the commissioner.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.